

November 24, 2004

Ms. Marlene H. Dortch
Secretary
Federal Communication Commission
445 12th Street, S.W. – The Portals
Washington, D.C. 20554

Re: Notice of Ex Parte Presentations
CS Docket No. 97-80

Dear Ms. Dortch:

On Tuesday, November 23, 2004, Kevin Leddy, Time Warner Cable Senior Vice President, Strategy and Development; Timothy Dodd, Time Warner Cable Vice President, Technology Policy; and the undersigned, met separately with (1) Johanna Mikes Shelton, Legal Advisor to Commissioner Adelstein, (2) Stacy Fuller, Legal Advisor to Commissioner Abernathy, (3) Elizabeth Andrion, Legal Advisor to Commissioner Martin, and (4) Ken Ferree, Rick Chessen, Steven Broeckaert, Deborah Klein, Mary Beth Murphy, John Wong, Michael Lance, and Natalie Roisman of the Media Bureau.

During these meetings, we discussed why the ban on cable operator deployment of integrated set-top boxes should be eliminated. In particular, we noted that there should be no doubt as to the cable industry's commitment to a retail market, as evidenced by the successful implementation of the MSO-CE Agreement following the Commission's adoption of rules in its Plug and Play Order. In light of this, we believe that the ban would now serve only to limit consumer choice and unnecessarily raise costs to consumers. And given the lead time required to build and deploy cable card enabled set-top boxes, we urged the Commission to act promptly on this matter.

Pursuant to Section 1.1206(b) of the Commission's rules, copies of this notice are being filed electronically in the above-captioned proceedings for inclusion in the public record. Should you have any questions, please do not hesitate to contact me.

Respectfully submitted,



Steven N. Teplitz
Vice President and Associate General Counsel
Time Warner Inc.

cc: Johanna Mikes Shelton
Stacy Fuller
Elizabeth Andrion
Ken Ferree
Rick Chessen
Steven Broeckart
Deborah Klein
Mary Beth Murphy
John Wong
Michael Lance
Natalie Roisman